

REMARKS**Summary of the Office Action**

In the Office Action, claims 1-5, 13-17 and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 2004/0066330 to *Knockeart, et al.* ("*Knockeart*").

Claims 6-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

Applicants wish to thank the Examiner for the indication that claims 6-12 are allowable. Applicants propose canceling claim 6 without prejudice or disclaimer and amending claims 1, 7-11, 13, 17, and 18 to better define the invention. Claims 8-11 are rewritten in independent form. Accordingly, claims 1-5 and 7-18 are pending.

All Subject Matter Is Allowable

Claims 6-12 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 6 was canceled without prejudice or disclaimer, and the allowable features of claim 6 were added into newly amended independent claim 1. Dependent claim 7 was amended to depend from newly amended independent claim 1. Claims 8-11 were rewritten in independent form as suggested by the Examiner.

Therefore, Applicants respectfully request that the objection to claims 6-12 should be withdrawn because independent claims 1 and 8-11 all contain allowable subject matter, and dependent claims 7 and 12 are also allowable insofar as they recite the patentable combinations

of features recited in claims 1 and 10, respectively, as well as reciting additional features that further distinguish over the applied prior art.

All Subject Matter Complies With 35 U.S.C. § 102(e)

Claims 1-5, 13-17, and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Knockeart*. These rejections are respectfully traversed in view of the following comments.

Applicants respectfully submit that the Office Action has not established that *Knockeart* anticipates each and every feature of Applicants' claimed invention and that all rejections under 35 U.S.C. § 102(e) should be withdrawn. Namely, Applicants contend that independent claims 1, 13, 17, and 18 recite at least the features of an "updating center module generates the updated navigation information using at least one of history information indicative of a history of the navigation process executed by the navigation apparatus and preference information indicative of preferences shown by the navigation apparatus during execution of the navigation process." At least these features are not disclosed or taught by *Knockeart*.

Knockeart discloses a vehicle information system which includes an in-vehicle system and a centralized server system. See Abstract of *Knockeart*. As admitted in the Office Action *Knockeart* fails to teach or suggest at least the above-mentioned features of dependent claim 6. Because *Knockeart* does not disclose the "updating center module generates the updated navigation information using at least one of history information indicative of a history of the navigation process executed by the navigation apparatus and preference information indicative of preferences shown by the navigation apparatus during execution of the navigation process" features now recited in claims 1, 13, 17, and 18, it cannot anticipate the present invention.

As pointed out in MPEP § 2131, a claim is anticipated by a prior art reference only if each and every element as set forth in the claim is found. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051 (Fed. Cir. 1987). Therefore, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(e) should be withdrawn because *Knockeart* does not teach or suggest each feature of independent claims 1, 13, 17, and 18.

Additionally, Applicants respectfully submit that dependent claims 2-5 and 14-16 are also allowable insofar as they recite the patentable combinations of features recited in claims 1, 13, 17, and 18, as well as reciting additional features that further distinguish over the applied prior art.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner believe that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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